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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
EVARISTO GOMEZ,  
  
Defendant.

CASE NO. 1:20-CR-00123 NODJ-BAM

STIPULATION TO CONTINUE  
HEARING RE SENTENCING; ORDER

DATE: August 12, 2024  
TIME: 8:30 a.m.  
JUDGE: TBD

**STIPULATION**

The United States of America, by and through its counsel of record, and defendant, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a hearing regarding sentencing on May 20, 2024 at 8:30 a.m.

2. By this stipulation, the parties move to continue the hearing regarding sentencing until **August 12, 2024, at 8:30 a.m.**

3. The parties request the continuance so that defendant Gomez has adequate time to fulfill all of his obligations pursuant to his plea agreement. The parties therefore stipulate and request that the current date set for the hearing re sentencing be vacated and that the matter be re-set

1 for a status hearing on August 12, 2024 at 8:30 a.m. or at a date and time thereafter that is  
2 convenient to the Court.

3 4. The parties further stipulate and request that the date for drafting and responding to  
4 any Presentence Investigation Report and any sentencing memorandum be continued in accordance  
5 with this stipulation and the Court's order thereon.

6 IT IS SO STIPULATED.

7  
8 DATED: May 13, 2024  
9

10 /s/ Henry Z. Carbajal III  
11 HENRY Z. CARBAJAL III  
Assistant United States Attorney

12 DATED: May 13, 2024  
13

14 /s/Melissa Baloian  
15 MELISSA BALOIAN  
16 Counsel for Defendant  
EVARISTO GOMEZ

17 **ORDER**

18 The Court has reviewed and considered the stipulation of the parties to continue the  
19 sentencing hearing in this case. Good cause appearing, IT IS ORDERED that the hearing regarding  
20 sentencing as to defendant Evaristo Gomez is continued from **May 20, 2024 to August 12, 2024, at**  
21 **8:30 a.m. in Courtroom 5 before the District Court Judge.**  
22

23  
24 IT IS SO ORDERED.

25 Dated: May 13, 2024

26 /s/ Barbara A. McAuliffe  
27 UNITED STATES MAGISTRATE JUDGE  
28